

REMARKS

Claims 1-3, 6-11 and 14-16 are the claims currently pending in the Application.

Rejection of Claims 10-16 under 35 U.S.C. § 101

Claims 10-16 are rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter, because the Examiner alleges that they fail to recite a “real world” application. This rejection is traversed.

Claims 12 and 13 have been cancelled, therefore the rejection is moot as to these claims.

Each of independent claims 10, 11 and 14-16 recites both “a data processor” and the “real world” application of anomalous data detection. Pursuant to recent Federal Circuit case law, the claims are believed to be directed to statutory subject matter as currently drafted. Therefore, this rejection should now be withdrawn.

Rejection of Claims 1-3, 6, 7, 10, 11 and 14-16 under 35 U.S.C § 102

Claims 1-3, 6, 7, 10, 11 and 14-16 are rejected under 35 U.S.C § 102 as being anticipated by Burge (Peter Burge and John Shaw-Taylor, “Detecting Cellular Fraud Using Adaptive Prototypes”, Proceeding of AI Approaches to Fraud Detection and Risk Management, pages 9-13, 1997). This rejection is traversed.

Amendments to claims 1-3, 6, 7, 10, 11 and 14-16 clarify features recited thereby, including the feature of a parameter (a finite mixture distribution of normal distributions).

The calculation method indicated in Burge is not the statistical method that presumes based on data by a method for adjusting the size of data easily.

According to an aspect of Applicant's claimed invention, a distribution parameter is presumed based on data.

Further, Burge teaches a restriction of the integral multiple of a unit matrix in the procession showing distribution.

According to an aspect of Applicant's claimed invention, the method of presuming distribution and covariance based on data is employed. Such a method is typically indicative of the performance of a statistical presumption in a multidimensional normal distribution.

Accordingly, Burge does not disclose or suggest the recitations of independent claims 1-3, 6, 7, 10, 11 and 14-16, and this rejection should now be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



George Brieger
Registration No. 52,652

Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343 Ext. 508
GB:ar